

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **CV 17-1470-DMG (GJSx)**

Date **April 18, 2017**

Title ***Scott Miller v. Yucatan Foods, LP, et al.***

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Present: The Honorable **DOLLY M. GEE, UNITED STATES DISTRICT JUDGE**

KANE TIEN

Deputy Clerk

NOT REPORTED

Court Reporter

Attorneys Present for Plaintiff(s)

None Present

Attorneys Present for Defendant(s)

None Present

**Proceedings: IN CHAMBERS - ORDER TO SHOW CAUSE RE DIVERSITY
JURISDICTION**

Defendant Yucatan Foods, L.P. removed this case to federal court based on diversity jurisdiction. (“Removal Notice”) [Doc. # 2.] Plaintiff Scott Miller is a Florida citizen. *Id.* ¶ 7. Defendant asserts it is not a citizen of Florida because it is a “limited partnership without any general or limited partner that is a citizen of Florida.” *Id.* ¶ 8. A limited partnership, however, must identify the states of citizenship of all of its component members—it is not enough to make a blanket assertion that none of its members are Florida citizens. *Johnson v. Columbia Props. Advantage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (partnerships and limited liability companies are citizens of every state of which their owners or members are citizens).

The Court therefore **ORDERS** Defendant to **SHOW CAUSE** why this action should not be remanded to state court for lack of subject matter jurisdiction. By no later than April 25, 2017, Defendant shall file a response to this Order to Show Cause (“OSC”), along with a sworn declaration setting forth the states of citizenship of the members of the limited partnership. In addition to addressing the issue above, Defendant must also identify approximately what percentage of all putative class members are located in Florida. Plaintiffs may file a response within seven days after Defendant’s OSC response. The April 21, 2017 Scheduling Conference is **VACATED** pending the resolution of this OSC and will be reset, if necessary.

IT IS SO ORDERED.